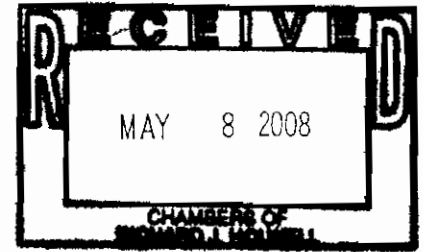


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Via Fax: 212 805-7948
Hon. Richard Holwell
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 1950
New York, NY 10007

USDC SDNY
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May 8, 2008

Re: Jillian Reid-Thomas v. City of New York, et. al.
CASE NO: 07-CV-6477

Hon. Richard Holwell:

This letter is written in response to defense counsel's letter dated today requesting a settlement conference.

As defense counsel indicates, plaintiff does not wish to attend a settlement conference at this time. This matter was discussed with Ms. Reid-Thomas following phone conversations with defense counsel indicating the defendant's wish to settle this matter. Ms. Reid Thomas was informed of the status of the litigation and the fact that defendants, to date, have not made any significant offers in this matter.

If your Honor is inclined to Order the parties to attend a settlement conference, we ask that all of the officer defendants and a person with authority from the Comptroller's office be required to participate in person. Typically, when a plaintiff is required to attend a settlement conference before the deposition, it is very possible that defense counsel will use this conference as a discovery tool to attempt to learn what about the case is significant to the plaintiff. I have personally attended settlement conferences in the Southern District of New York in which the plaintiff was required to respond to questions over counsel's objection! This situation should be avoided and no party should be Ordered to attend a settlement conference let alone participate in a settlement conference.

Thank you in advance for your consideration.

When Mr. Zelman advises the Court that he and his client are preparing to attend a settlement conference the Court will enter an order of reference. It is generally sufficient that the City's

Very truly yours:

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representative with settlement authority be available by phone & individual defendants with no settlement authority add nothing to the process. SO ORDERED

Dr. J. L. H. v. City of New York